

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

GLADYS SCHOFILL,

Plaintiff,

v.

DOLLAR GENERAL  
CORPORATION,

Defendant.

Civil Action File No.: 1:13-CV-188(WLS)

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**NOTICE OF REMOVAL**

COMES NOW, Dollar General Corporation, Defendant in the above-styled case, and within the time prescribed by law, files this Notice of Removal, and respectfully shows the Court the following facts:

1.

Plaintiff Gladys Schofill filed suit against Dollar General Corporation, in the State Court of Dougherty County, State of Georgia. This suit is styled as above and numbered Civil Action File No. 13SCV439 in that Court. In her Complaint, Plaintiff seeks to recover against Dollar General Corporation for special damages in the amount of \$117,935.70, in addition to future medical expenses and general damages including pain and suffering.

2.

The sole named Defendant, Dollar General Corporation, is a Tennessee corporation with a principal place of business in Goodlettsville, Tennessee.

3.

Upon information and belief, Plaintiff Gladys Schofill is a resident of the State of Georgia and was not a citizen of the State of Tennessee on the date of filing of the aforementioned civil action, and has not since become a Tennessee citizen.

4.

As shown above, the amount in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

5.

The aforementioned civil action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and, accordingly, is one which may be removed to this Court by Defendant/Petitioner pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 exclusive of interests and costs, and is between citizens of different states.

6.

Dollar General Corporation was purportedly served with the Summons and Complaint on October 29, 2013 by service on Connie Mitchell. This Notice is filed within 30 days thereof pursuant to the requirements of 28 U.S.C. § 1446(b).

7.

Defendant has attached hereto copies of all process, pleadings and orders served upon it in this case, such copies being marked **Exhibit "A"**. In addition, Defendant shows that it has already answered the lawsuit in the State Court action referenced above and filed a Jury Demand. Copies of Defendant's Answer and Jury Demand are attached hereto and marked collectively as **Exhibit "B"**. There are no motions pending in the State Court of Dougherty County, Georgia at the time of filing this Notice of Removal.

8.

Venue properly rests in the Albany Division of the United States District Court of the Middle District of Georgia, as this case is being removed from the State Court of Dougherty County, Georgia, which sits in the Albany Division of United States District Court for the Middle District of Georgia. A Notice of Filing Notice of Removal to Federal Court will be filed with the State Court of Dougherty County, Georgia.

WHEREFORE, Dollar General Corporation prays that the case be removed

to the United States District Court for the Middle District of Georgia, Albany Division.

This 26<sup>th</sup> day of November, 2013.

Respectfully submitted,

HICKS, CASEY & FOSTER, P.C.

*/s/ Erica L. Morton*

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Erica L. Morton  
Georgia Bar No.: 140869  
*Attorney for Defendant*

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**CERTIFICATE OF SERVICE**

I certify that I have electronically filed this *Notice of Removal* with the Clerk of Court using the CM/ECF (Pacer) system which will automatically send email notification of such filing to the following attorneys of record:

Alfred N. Corriere  
VANSANT & CORRIERE, LLC  
P.O. Box 347  
Albany, Georgia 31702-0347

*Signature on following page.*

This 26<sup>th</sup> day of November, 2013.

Respectfully submitted,

HICKS, CASEY & FOSTER, P.C.

*/s/ Erica L. Morton*

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Erica L. Morton  
Georgia Bar No.: 140869  
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